

New relief act provisions protect service members

By Sgt. 1st Class Doug Sample
American Forces Press Service

A new law replacing the Soldiers' and Sailors' Civil Relief Act of 1940 will provide military personnel – especially those deployed or called to active duty – greater protections to handle their personal financial and legal obligations, Defense Department officials say.

President Bush signed the Service Members' Civil Relief Act into law Dec. 19.

"The focus of the SCRA is the same as under the SSCRA: to provide protections to service members who have difficulty meeting their personal financial and legal obligations because of their military service," said Air Force Lt. Col. Patrick Lindemann, deputy director for legal policy in DoD's Office of the Undersecretary of Defense for Personnel and Readiness.

"The SCRA is a significant law, because it clarifies and updates the provisions that existed in the SSCRA, while adding some additional protections," he said.

'Significant changes'

"Service members on long-term deployments or called to active duty should not have to worry about their families in their absence being evicted from their quarters without sufficient legal protections," Lindemann said, "or that they are paying on a leased car or apartment that they can't use, or about civil legal proceedings they can't attend because of their deployment.

"These are some of the situations the SCRA covers so that service members are able to devote their energies to the military mission and the defense needs of the nation, and not on civil matters waiting for them at home," he added.

What Lindemann called "a significant change" in the SCRA is an automatic 90-day stay of civil proceedings upon application by a service member. This applies to all judicial and administrative hearings.

In the past, Lindemann said, stays were left to the discretion of the courts.

Pre-service debts

The SCRA also makes it clear that the 6-percent limitation on interest rates for pre-service debts requires a reduction in monthly payments, Lindemann said. It also mandates that any interest in excess of 6 percent is forgiven, not deferred.

Eviction protection

The SCRA also expands the protection against

Significant provisions of the Service Member's Civil Relief Act:

- Automatic 90-day stay of civil proceedings upon application by a service member.
- Six-percent limitation on interest rates for pre-service debts.
- Increased protection against eviction of service members and their dependents.
- Expanded ability to terminate vehicle leases for some deploying service members.

eviction. Under the SSCRA, service members and their dependents who entered into a lease for \$1,200 or less could not be evicted without a court order.

The SCRA increased that maximum lease amount to \$2,400 and added an annual adjustment for inflation.

For 2004, the maximum will be \$2,465. Lindemann said this will significantly increase the number of service members entitled to this protection.

The SCRA also gives service members who have received permanent-change-of-station orders or who are being deployed for not less than 90 days the right to terminate a housing lease with 30 days' written notice.

Vehicle leases

One of the more significant provisions in the SCRA that did not exist in the SSCRA, Lindemann said, is an added protection for service members who have motor vehicle leases.

Any active-duty service member who has received permanent change of station orders outside the continental United States, or who is being deployed for not less than 180 days, may terminate a motor vehicle lease. The law prohibits early termination charges.

"Now, service members won't have to pay monthly lease payments for a car they can't use," Lindemann said.

"If service members have questions about the SCRA or the protections that they may be entitled to, they should contact their unit judge advocate or installation legal assistance officer for further assistance."

For more information about the Service Members' Civil Relief Act call the Stuttgart Law Center at 421-4152/civ. 0711-729-4512.

Local CFC-O effort exceeds expectations

By Melanie Casey

When the 2003 Combined Federal Campaign-Overseas effort kicked off Oct. 1, 6th Area Support Group Commander Col. Gwendolyn Bonéy-Harris said "now is the time for all of us to dig into our pockets and pocketbooks to contribute to the CFC once again."

Dig we did.

This year's effort by the 6th ASG and U.S. European Command surpassed last year's total by more than \$25,000, with a final tally of just over \$468,000. Europewide, the campaign collected more than \$13 million, an increase of more than \$2 million from 2002.

6th ASG

In the 6th ASG, donors opened their checkbooks and contributed a total of \$121,704, averaging a 47.3-percent participation rate and giving an average gift of nearly \$156.

Last year, donations in the 6th ASG (including Stuttgart, Garmisch, Bad Aibling and Oberammergau) totaled \$93,870 with a 34-percent participation rate and an average contribution of \$148.

EUCOM

Although EUCOM's total numbers this year were slightly less than last year (\$346,400 this year compared with \$348,900 in 2002), its participation rate rose from 51- to 54-percent and the average gift went from \$271 to \$280 per person.

Furthermore, "[EUCOM] had 232 fewer potential contributors [this year]. Had we had the additional potential contributors this year, our total contributions would have been much higher based on our actual percent participation," said Lt. Col. Chris Farley, EUCOM's CFC-O project officer and administrator.

'People opened their hearts'

Initially, it appeared as though organizers' goals would not be met. As of Nov. 1, the 6th ASG had received only \$30,000 in pledges and EUCOM had received \$125,000.

The campaign was set to end on Dec. 10. However, as the deadline neared, organizers decided to extend through Dec. 31. "So many people were deployed [organizers] gave more time for them," said Bob Rainbolt, 6th ASG CFC-O project officer and administrator.

"Making contact was the key," Rainbolt said. "People opened their hearts."

Rainbolt said that in just one day, he received four \$1,000 individual pledges and one \$5,000 individual pledge.

The CFC – created in 1961 by Federal employees as a way to combine several fundraising campaigns into one – is the only organization allowed to solicit federal employees on behalf of charitable organizations.

For more about the Combined Federal Campaign Overseas visit www.cfcoverseas.org.

Rumsfeld: War on terror remains DoD's top priority

By Donna Miles

American Forces Press Service

The global war on terrorism will remain the Defense Department's top priority in the new year as DoD continues to focus on improving and modernizing its programs, systems and forces to make them more responsive to 21st century requirements.

During his first Pentagon briefing of 2004, Defense Secretary Donald Rumsfeld said the department already has made "remarkable progress" and will continue its work to "strengthen, improve and transform our forces, modernize and restructure programs and commands ... and streamline DoD processes and procedures."

Force balance

Rumsfeld laid out a list of initiatives, many already under way, that he said would help free the department of its Cold War-era trappings that do not support current demands.

Also high on the agenda are the implementation of a new civil service personnel system, a rebalancing of active and reserve components and a re-evaluation of the military's global posture.

Among these initiatives is the effort to rebalance the active and reserve components throughout the services.

Rumsfeld told reporters the global war on terror, with its heavy use of National Guard and Reserve troops, underscores the importance of this effort.

Civilian workforce

Also high on the agenda for 2004, Rumsfeld said, is implementation of the new National Security Personnel System that took effect with passage of the 2004 National Defense Authorization Act.

The new law gives DoD the authority to create a new framework of rules, regulations, and processes that govern the way civilians are hired, paid, promoted and disciplined within the department.

The new system will replace outdated and rigid civil service rules that many said hindered DoD's ability to carry out its national security mission. "Executed properly," Rumsfeld said, "the new system ... can play a key role in relieving stress on the force."

Global posture

On a broader scope, Rumsfeld said the

military would continue its efforts to adjust its global posture during 2004.

This initiative involves re-examining the United States' military "footprint" in the world – much of it the result of historic, Cold War threats that no longer exist – and to revise them to meet current demands.

In addition to those at its bases around the world, Gen. Richard B. Myers, chairman of the Joint Chiefs of Staff, told reporters the U.S. military has thousands of troops on deployments across the globe.

This includes roughly 125,000 in Iraq, 13,000 in Afghanistan, more than 2,000 at Guantanamo Bay, Cuba, and more than 1,000 participating in Combined Joint Task Force Horn of Africa.

"We have a full agenda," Rumsfeld acknowledged.

"It is what President Bush has asked of us. It is what the American people expect of us. And it is work that we intend to proceed with over the coming months of 2004," he added.